UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-4153

D.C. Docket No. 9:92CV88

JIMMY WEAVER and
JEANETTE WEAVER,

Plaintiffs-Appellants,

versus

EMPLOYERS UNDERWRITERS, INC., ET AL.,

Defendants-Appellees.

Appeal from the United States District Court for the
Eastern District of Texas

Before VAN GRAAFEILAND[1], SMITH, and WIENER, Circuit Judges.

J U D G M E N T

This cause came on to be heard on the record on appeal and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the District Court in this cause is reversed, and the cause is remanded to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that defendants-appellees pay to plaintiffs-appellants the costs on appeal to be taxed by the Clerk of this Court.

February 9, 1994

ISSUED AS MANDATE: March 21, 1994

[1] Circuit Judge of the Second Circuit, sitting by designation.